



California Regional Water Quality Control Board

Los Angeles Region



Linda S. Adams
Cal/EPA Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

June 23, 2010

Mr. James Stull
Continental Heat Treating
10643 Norwalk Boulevard
Santa Fe Springs, CA 90670

RESPONSE TO LETTER DATED MAY 19, 2010 FROM MR. MICHAEL FRANCIS OF DEMETRIOU, DEL GUERCIO, SPRINGER & FRANCIS, LLP – CONTINENTAL HEAT TREATING (CHT), 10643 SOUTH NORWALK BOULEVARD, SANTA FE SPRINGS (SCP NO. 1057, SITE ID NO. 204GW00).

Dear Mr. Stull:

Los Angeles Regional Water Quality Control Board (Regional Board) staff received a letter from your attorney, Mr. Michael Francis of Demetriou, Del Guercio, Springer & Francis, LLP, dated May 19, 2010, providing comments to the Regional Board following the issuance of the California Water Code (CWC) section 13267 Order dated May 5, 2010 (Order). The Order requires preparation and submittal of technical report(s) for the lateral and vertical delineation of impacted soil, soil-gas, and groundwater on and offsite (if necessary), including the installation of three on-site groundwater monitoring wells in accordance with a work plan dated March 2, 2002, and subsequently approved in a letter from Regional Board staff dated April 16, 2002.

Mr. Francis indicates that the Regional Board "cites to and relies upon numerous erroneous allegations" in the Order. Regional Board staff relies upon documentation and data provided by consultants representing individual sites. Our decisions and actions are based upon the assumption that the information provided to us is accurate and representative of conditions at a site. Below are some of the comments provided by Mr. Francis (italicized) followed by Regional Board staff responses:

- *... your May 5, 2010 letter states that there was a pipe trench from the degreaser to the north end of the building and continuing westward along the property line. This was a utility trench and it did not convey or contain perchloroethylene ("PCE").*

Several of the alleged errors pertain to a report by McLaren-Hart (McLaren Report) dated September 23, 1993, as referenced in the letter by Mr. Francis. The McLaren Report indicates that a pipe trench was shown going from the degreaser to the north end of the building, just west of the electrical panel. This conduit, regardless of its intended use, may have created a preferential pathway for tetrachloroethene (PCE) migration.

- *Second, the RWQCB mis-stated the February 15, 1993 purported hazardous materials registration forms. Such forms did not report an average PCE use of 125 gallons per day and a maximum daily use of 250 gallons per day. Instead, such forms reported an average PCE storage of 125 gallons per day and a maximum daily storage of 250 gallons.*

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The McLaren Report indicated an average use of 125 gallons per day and a maximum daily use of 250 gallons per day. However, the term "use" may have been used in the McLaren Report to address quantities of PCE stored in the degreaser.

- *Furthermore, you state that CHT annually generated 1.5 tons of waste PCE. Please note that 1.5 tons of PCE is equivalent to approximately 225 gallons of PCE. This annual volume of PCE translates to an average daily PCE use of approximately one half gallon.*

The numbers provided by Mr. Francis translate to an average daily PCE *waste* of one half gallon, which does not represent how much PCE was used for daily operations in the degreaser tank. According to the McLaren Report, the PCE degreaser capacity was 500 gallons. It is reasonable to assume that this tank was filled to appropriate levels to accommodate daily operations at CHT

- *Third, you indicate there was a degreaser formerly located in the northeast portion of the on-site building. CHT requests the RWQCB provide CHT with the documentation of such purported degreaser location.*

The McLaren Report indicates that an inspection report dated April 5, 1982 (included in the Industrial Waste Permit file with the Los Angeles County Sanitation District), noted that a degreaser was present in the northeast portion of the building.

- *With respect to the degreaser you described as being "in-ground," that unit was in fact a free standing degreaser that was installed in a reinforced concrete vault.*

According to the report by Trilogy Regulatory Services dated December 21, 2004, "The degreaser was an in-ground metal-walled tank set within a concrete vault."

- *Fourth, you state that certain site assessment data associated with the Property indicate certain impacts to the Property's soil matrix, soil gas and groundwater. However, as explained further below, the adjacent Jalk Fee property was/is heavily contaminated.*

Primary sources of PCE contamination (degreaser, storage area, etc.) have been identified at CHT. Impact to the subsurface has been detected in soil gas samples at multiple locations throughout CHT, and in the area of the former degreaser from the ground surface to groundwater (approximately 60 to 70 feet below ground surface [bgs]) in both soil gas and soil matrix samples. To date, the extent of subsurface PCE contamination has not been defined or remediated adequately.

The adjacent Jalk Fee property was used for oil production operations and no primary source(s) of PCE contamination have been identified. However, PCE contaminated soil was encountered at Jalk Fee's southern property boundary, adjacent to CHT. During their site redevelopment activities in approximately 2000, the majority of PCE impacted soil to a depth of approximately 15 feet bgs was removed from the Jalk Fee property.

- *In addition, the Omega Chemical Site's 4.5 mile PCE plume passes beneath the Property. Thus, those known upgradient contamination sources may have caused, in whole or part, the observed soil matrix, soil gas and groundwater impacts to the Property. Contrary to your assertions, the soil gas PCE concentrations observed beneath the Property at the capillary fringe suggest such*

levels are the result of the Omega PCE plume and/or the Jalk Fee property soil and groundwater contamination.

The historic soil matrix and soil gas data shows high levels of PCE and trichloroethene (TCE) contamination from the surface to groundwater at CHT. The highest soil matrix PCE and TCE concentrations were detected at 0.5 feet bgs at 7,514 and 4,759 micrograms per kilogram ($\mu\text{g/kg}$), respectively, adjacent to the former degreaser. Releases at CHT have impacted the subsurface, including, soil matrix, soil gas, and groundwater, and have contributed to the regional Omega groundwater plume. CHT has been identified as a responsible party in the US Environmental Protection Agency's Omega Chemical groundwater plume investigation and cleanup.

- *Fifth, the CHT soil vapor extraction ("SVE") system operations were terminated because the Jalk Fee property's petroleum hydrocarbon contamination migrated on to the Property and interfered with the SVE's operations. Such Jalk Fee property petroleum hydrocarbon caused the CHT SVE system to be shut down.*

Total petroleum hydrocarbons (TPH) contamination seen in soil gas probes at CHT from approximately 5 feet bgs to the groundwater interface indicate a potential source of TPH contamination at CHT. Additional subsurface investigation(s) at CHT will help determine the impact of TPH contamination associated with historic operations at CHT.

- *Finally, there is no data that confirms an allegation that the CHT property is a source of groundwater contamination.*

Due to the elevated concentrations of chlorinated volatile organic compounds (VOCs) and TPH contamination detected in soil gas and soil matrix samples in the area of the former degreaser from near ground surface through the entire soil column to approximately 60 feet bgs (capillary fringe), groundwater has been impacted from releases at CHT. However, no groundwater wells have been installed at CHT to determine how extensive this impact may be.

- *CHT requests the RWQCB provide CHT with a copy of the McLaren Report. ...CHT requests the RWQCB provide CHT with a copy of the recent RWQCB groundwater monitoring directive that was issued in connection with the Jalk Fee property and provide CHT with a copy of the Jalk Fee workplan for such ordered groundwater monitoring.*

In accordance with the Freedom of Information Act (FOIA), you may request a file review of the CHT and Jalk Fee case files. A copy machine is available for your use with a charge of \$0.15 per page. Please send a file review request for each case via fax to (213) 576-6713 or via email to Laura Gallardo at lgallardo@waterboards.ca.gov. Please include the site name, address, Site Cleanup Program number (SCP No. 1057 [CHT], SCP No. 0203 [Jalk Fee]), and your contact information. A representative from the Regional Board will contact you to confirm the appointment. In addition, most recently submitted reports/documents and Regional Board correspondence have been uploaded to GeoTracker. You may search, review, and download the case information from the GeoTracker database at the following address: <http://geotracker.waterboards.ca.gov/>.

- *...CHT will delay the implementation of the RWQCB approved groundwater monitoring workplan until: (1) such work can be coordinated with the RWQCB directed Jalk Fee property*



groundwater monitoring; and (2) the RWQCB directed soil and soil gas delineation work, on the Property, is complete.

Accordingly, the September 15, 2010 due date for the submittal of a groundwater well installation and sampling report will not be met.

At this time, the work required at the Jalk Fee site is irrelevant to the requirements issued in the Order. To date, no groundwater wells have been installed at CHT despite a work plan being submitted in March 2002 and the issuance of a work plan approval letter by the Regional Board dated April 16, 2002. The installation of the approved groundwater monitoring wells will be an initial step in evaluating impact to groundwater from releases at CHT. These wells will provide basic hydrologic information needed to understand subsurface conditions at CHT, which will be used for the installation of additional on and offsite groundwater wells, as needed, to delineate the lateral and vertical extent of releases at CHT. Therefore, in accordance with the Order, you are required to complete the installation of the groundwater monitoring wells as proposed in the work plan dated March 2, 2002 and as approved in the Regional Board's work plan approval letter dated April 16, 2002. As directed in the Order, a groundwater well installation and sampling report is due to the Regional Board by **September 15, 2010**. Failure to comply with the requirements of the Order will result in additional enforcement action(s) being taken by the Regional Board.

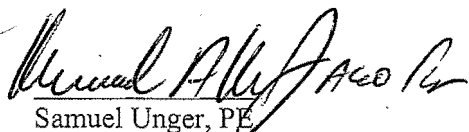
- *Finally, with respect to the RWQCB's "Chemical Storage and Use Questionnaire," CHT respectfully requests the RWQCB advise CHT of the RWQCB's statutory authority to request this information.*

Please refer to California Code of Regulations (CCR), Title 23, section 2907, which is a summary of the regulatory provisions contained in State Water Resources Control Board Resolution No. 92-49. Resolution No. 92-49 is available online at the following address:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/1992/rs1992_0049.shtml.

If you have any questions, please feel free to contact the project manager Mr. David Young at (213) 576-6733 or via email at dyoung@waterboards.ca.gov.

Sincerely,



Samuel Unger, PE
Interim Executive Officer

cc: Mr. Michael A. Francis, Demetriou, Del Guercio, Springer & Francis, LLP